



Journal of the House

State of Indiana

112th General Assembly

Second Regular Session

Twenty-seventh Meeting Day

Monday Afternoon

March 11, 2002

The House convened at 1:00 p.m. with the Speaker in the Chair.

The invocation was offered by Chaplain Peter Bunder, Purdue Episcopal Campus Ministry, West Lafayette, the guest of Representative Sue W. Scholer.

The Pledge of Allegiance to the Flag was led by Representative Scholer.

The Speaker ordered the roll of the House to be called:

T. Adams	Hoffman
Aguilera	Kersey
Alderman	Klinker
Atterholt	Kromkowski
Avery	Kruse
Ayres	Kruzan
Bardon	Kuzman
Bauer	Lawson
Becker	Leuck
Behning	Liggett
Bischoff	J. Lutz
Bodiker	Lytle
Borror	Mahern
Bosma	Mangus
Bottorff	McClain
C. Brown	Mock
T. Brown	Moses
Buck	Munson
Budak	Murphy
Buell	Noe
Burton	Oxley
Cheney	Pelath
Cherry	Pond
Cochran	Porter
Cook	Reske
Crawford	Richardson
Crooks	Ripley
Crosby	Robertson
Day	Ruppel
Denbo	Saunders
Dickinson	Scholer
Dillon	M. Smith
Dobis	V. Smith
Dumezich ☐	Steele
Duncan	Stevenson
Dvorak	Stilwell
Espich	Sturtz
Foley	Summers
Frenz	Thompson
Friend	Tincher
Frizzell	Torr
Fry	Turner
GiaQuinta	Ulmer
Goodin	Weinzapfel
Grubb	Welch
Harris	Whetstone
Hasler	Wolkins
Herndon	D. Young ☐
Herrell	Yount
Hinkle	Mr. Speaker

Roll Call 345: 98 present; 2 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has overridden the veto of the Governor on Senate Enrolled Acts 308 and 471.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bills 57, 168, 412, 489, and 518.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 217 and the President Pro Tempore has appointed the following Senators a conference committee to confer on said bill:

Conferees: Nugent, Chair; and Lewis

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 252 and the President Pro Tempore has appointed the following Senators a conference committee to confer on said bill:

Conferees: Zakas, Chair; and Antich

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 417 and the President Pro Tempore has appointed the following Senators a conference committee to confer on said bill:

Conferees: Wheeler, Chair; and Lewis

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 508 and the President Pro Tempore has appointed the following Senators a conference committee to confer on said bill:

Conferees: Wheeler, Chair; and Lewis

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 1 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 58, 66, and 67 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 68, 70, 71, and 72 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

EHB 1273 Conferees: Gregg and Pond
 Advisors: Klinker, Robertson, and Scholer

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 102 Conferees: Moses and Mangus
 Advisors: Liggett and Turner

ESB 367 Conferees: Herrell and Noe

ESB 501 Conferees: Gregg and Espich
 Advisors: Robertson and M. Smith

ESB 509 Conferees: Crawford and Budak
 Advisors: Welch and Kruse

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1065 Conferees: Scholer replacing Buell
 Advisors: Buell replacing Scholer

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1012, 1049, 1139, and 1213 and Senate Enrolled Acts 190, 202, 243, 416, and 466 on March 7.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT
ESB 402-1; filed March 8, 2002, at 4:03 p.m.

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 402 respectfully reports that said two committee have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 1, delete line 17.

Page 2, delete lines 1 through 16.

Page 2, line 35, delete "at the request of the county recorder".

Renumber all SECTIONS consecutively.

(Reference is to ESB 402 as reprinted February 22, 2002.)

C. LAWSON	FRENZ
BLADE	SAUNDERS
Senate Conferees	House Conferees

The conference committee report was filed and read a first time.

CONFERENCE COMMITTEE REPORT
ESB 17-1; filed March 8, 2002, at 4:09 p.m.

Mr. Speaker: Your Conference Committee appointed to confer

with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 17 respectfully reports that said two committee have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 2, line 11, after "during the" insert "**most recent**".

Page 2, line 11, delete "months preceding" and insert "**month period for which data is available as of**".

Page 4, delete lines 29 through 42.

Delete page 5.

Page 6, delete lines 1 through 2.

Page 6, delete lines 10 through 20, begin a new paragraph and insert:

"(b) This subsection applies to a county having a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000). Notwithstanding section 9 of this chapter, the initial certified distribution certified for a county under section 9 of this chapter shall be distributed to the county treasurer from the account established for the county under section 8 of this chapter according to the following schedule during the eighteen (18) month period beginning on July 1 of the year in which the county initially adopts an ordinance under section 2 of this chapter:

(1) One-fourth (1/4) on October 1 of the year in which the ordinance was adopted.

(2) One-fourth (1/4) on January 1 of the calendar year following the year in which the ordinance was adopted.

(3) One-fourth (1/4) on May 1 of the calendar year following the year in which the ordinance was adopted.

(4) One-fourth (1/4) on November 1 of the calendar year following the year in which the ordinance was adopted.

Notwithstanding section 11 of this chapter, the part of the certified distribution received under subdivision (1) that would otherwise be allocated to a civil taxing unit or school corporation as property tax replacement credits under section 11 of this chapter shall be set aside and treated for the calendar year when received by the civil taxing unit or school corporation as a levy excess subject to IC 6-1.1-18.5-17 or IC 6-1.1-19-1.7. Certified distributions made to the county treasurer for calendar years following the eighteen (18) month period described in this subsection shall be made as provided in subsection (a)."

Page 6, line 32, delete "The" and insert "Except as provided by subsection (b), the".

Page 6, delete lines 38 through 42.

Delete pages 7 through 10.

Page 11, delete lines 1 through 13.

Page 11, delete lines 21 through 31, begin a new paragraph and insert:

"(b) This subsection applies to a county having a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000). Notwithstanding section 11 of this chapter, the initial certified distribution certified for a county under section 11 of this chapter shall be distributed to the county treasurer from the account established for the county under section 10 of this chapter according to the following schedule during the eighteen (18) month period beginning on July 1 of the year in which the county initially adopts an ordinance under section 2 of this chapter:

(1) One-fourth (1/4) on October 1 of the year in which the ordinance was adopted.

(2) One-fourth (1/4) on January 1 of the calendar year following the year in which the ordinance was adopted.

(3) One-fourth (1/4) on May 1 of the calendar year following the year in which the ordinance was adopted.

(4) One-fourth (1/4) on November 1 of the calendar year following the year in which the ordinance was adopted.

The county auditor and county treasurer shall distribute amounts received under this subsection to a county and each city or town in the county in the same proportions as are set forth in

section 12 of this chapter. Certified distributions made to the county treasurer for calendar years following the eighteen (18) month period described in this subsection shall be made as provided in subsection (a).".

Page 11, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] (a) This SECTION applies to a county having a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000).

(b) Notwithstanding IC 6-3.5-1.1-2, IC 6-3.5-6-8, and IC 6-3.5-7-5, an ordinance to impose the county adjusted gross income tax, the county option income tax, or the county economic development income tax in the county may be adopted before May 16, 2002.

(c) This SECTION expires December 31, 2002."

Renumber all SECTIONS consecutively.

(Reference is to ESB 17 as reprinted February 26, 2002.)

LANDSKE	CHENEY
ANTICH	AYRES
Senate Conferees	House Conferees

The conference committee report was filed and read a first time.

CONFERENCE COMMITTEE REPORT ESB 270-1; filed March 8, 2002, at 4:10 p.m.

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 270 respectfully reports that said two committee have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 19.

Renumber all SECTIONS consecutively.

(Reference is to ESB 270 as reprinted February 20, 2002.)

SKILLMAN	KRUZAN
BLADE	SCHOLER
Senate Conferees	House Conferees

The conference committee report was filed and read a first time.

CONFERENCE COMMITTEE REPORT EHB 1297-1; filed March 8, 2002, at 4:47 p.m.

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1397 respectfully reports that said two committee have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Page 6, strike lines 19 through 22.

Page 10, line 8, delete "The".

Page 10, line 8, strike "fee" and insert "Funds".

Page 10, line 8, after "collected" insert "for the rehabilitation of impaired registered nurses and impaired licensed practical nurses".

Page 10, line 11, after "collected" insert "for the rehabilitation of impaired registered nurses and impaired licensed practical nurses".

(Reference is to EHB 1297 as reprinted February 27, 2002.)

WELCH	MILLER
DILLON	SIMPSON
House Conferees	Senate Conferees

The conference committee report was filed and read a first time.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 51

Representatives Welch, Kruzan, Denbo, Stevenson, Tincher, and

Steele introduced House Concurrent Resolution 51:

A CONCURRENT RESOLUTION honoring the Indiana University women's basketball team for winning the Big Ten tournament.

Whereas, The Indiana University women's basketball team faced adversity and rose above it to win its first Big Ten tournament;

Whereas, The team beat Purdue for the first time in the semifinals;

Whereas, The Indiana University women's basketball team defeated Penn State for the first time in the championship game;

Whereas, The win gave Indiana its first automatic bid to the NCAA tournament since the 1994-1995 season; and

Whereas, Indiana finished the season with an overall record of 17-13 and 8-8 in the Big Ten: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the General Assembly of the State of Indiana honor the Indiana University women's basketball team for its accomplishments in winning the Big Ten Women's Basketball Tournament and extend its congratulations to the team members, coaches, and school.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to President Miles Brand, head coach Kathi Bennett, assistant coaches Tricia Betthausen, Matt Bollant, and Janine Moore, and players Khisha Asubuhi, Kristen Bodine, Heather Cassady, Jill Chapman, Jenny DeMuth, Lisa Eckart, Jamie Gathing, Jill Hartman, Tara Jones, Jelena Lazic, Erin McGinnis, Me'sha Salters, and Allison Skapin.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Simpson, Skillman, and Waterman.

House Concurrent Resolution 52

Representatives Tincher, Foley, and Crosby introduced House Concurrent Resolution 52:

A CONCURRENT RESOLUTION congratulating Owen Valley Community High School, Spencer, Indiana, on its being selected as a New American High School for 2002.

Whereas, The New American High School Program recognizes schools that set high academic standards, close the gap between disadvantaged and advantaged students, use research level practices as the foundation for school improvement efforts, and offer students and parents a range of educational options;

Whereas, Owen Valley Community High School recently became only the second Indiana school to ever receive this prestigious award and only one of six high schools to be named a New American High School for 2002;

Whereas, The award process began with about 30 schools selected for consideration this past year, less than half of those schools advanced to the team evaluation visit process, and only six schools were given the award;

Whereas, Presentation of the New American High School for 2002 award to Owen Valley Community High School represents the culmination of a successful reform effort by the high school that began in 1994-1995;

Whereas, Since 1994-1995, Owen Valley Community High School has participated in the High Schools That Work program and for three years has been involved with the Comprehensive School Reform Demonstration program in an effort to improve Owen Valley Community High School and its ability to educate the young people of Indiana; and

Whereas, The efforts of the students and staff of Owen Valley Community High School are truly worthy of respect and admiration: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly wishes to congratulate the students and staff of Owen Valley Community High School on its being selected as a New American High School for 2002 and to thank them for their dedication to the betterment of the educational system of Indiana and to encourage them to continue to strive for excellence in education.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Daniel Cunningham, principal of Owen Valley Community High School, Terry McDaniel, superintendent of Spencer-Owen Community School Corporation, and Mike Hammond, board president.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Bray and Waterman.

House Resolution 51

Representative Denbo introduced House Resolution 51:

A HOUSE RESOLUTION honoring Barry Wininger.

Whereas, Barry Wininger is a stellar example of a dedicated public servant;

Whereas, Mr. Wininger joined the French Lick Volunteer Fire Department in January 1978, replacing his great uncle, Kelly Wininger, upon his retirement;

Whereas, Mr. Wininger has served his community as a member of the volunteer fire department for 24 years, 20 of those years as chief;

Whereas, Chief Wininger has added additional qualifications to his firefighting skills, including certification as an emergency medical technician and certification as a master firefighter in the categories of instruction, tactics, fire service management, and arson;

Whereas, In addition to his duties as a volunteer firefighter, Chief Wininger also has been involved in the organization of the Orange County Firefighters Association and was elected as its first chairman;

Whereas, Chief Wininger served as co-chairman of the Enhanced 911 Committee for implementation of 911 service in Orange County, chairman of the Indiana Volunteer Firefighters Association 18th District, chairman of the board of the Indiana Volunteer Firefighters Association, and a member of the board of the Orange County EPICS;

Whereas, Chief Wininger is also active in the French Lick community: he was the first Eagle scout in French Lick; he serves as vice president of the Springs Valley Regional District Water Board, secretary/treasurer of the French Lick Town Hall Building Corporation, board member of the Orange County Park Board, president of Orange County Beverage, vice chairman of the Indiana Beverage Alliance, a member of the Anheuser-Busch WIL Wholesaler Panel, a member of the French Lick-West Baden Chamber of Commerce, and a member of the Springs Valley Band Boosters transportation committee; and he is a youth baseball coach; and

Whereas, It is individuals such as Barry Wininger who help make Indiana communities such great places in which to live: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives wishes to thank Barry Wininger for the contributions he has made to improving the lives of the citizens of Orange County and Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Barry Wininger and his family.

The resolution was read a first time and adopted by voice vote.

House Resolution 52

Representative Oxley introduced House Resolution 52:

A HOUSE RESOLUTION honoring Derrick Daniel Deaton.

Whereas, Derrick Daniel Deaton, a senior at Austin High School,

Austin, Indiana, was appointed by Governor Frank O'Bannon to serve as youth representative for the Governor's Commission for a Drug Free Indiana, a three year member of the Indiana Point of Youth, and chair of the legislative committee;

Whereas, Derrick Daniel Deaton was instrumental in passing House Bill 1618 in the 2001 session of the General Assembly to lower the blood alcohol level to .08 and was a guest of Governor O'Bannon at the bill signing in Governor O'Bannon's office;

Whereas, In addition to his involvement with House Bill 1618, Derrick Daniel Deaton has been a guest at the governor's residence and received the Stacy Watson Youth Service Award presented by the Commission for a Drug Free Indiana;

Whereas, In addition to his work in Indiana, Derrick Daniel Deaton was chosen to represent Indiana at the Mothers Against Drunk Driving National Youth Summit in Washington, D.C., and has met with members of Congress concerning policy changes for Hoosiers; and

Whereas, In recognition of his work to curb drunken driving, Derrick Daniel Deaton was awarded the 2001 Mothers Against Drunk Driving "Make a Difference" Award: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives wishes to congratulate Derrick Daniel Deaton on his achievements and extend best wishes for continued success throughout the rest of his senior year of high school.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Derrick Daniel Deaton, the principal of Austin High School, and the superintendent of the school corporation.

The resolution was read a first time and adopted by voice vote.

Senate Concurrent Resolution 1

The Speaker handed down Senate Concurrent Resolution 1, sponsored by Representatives Gregg and Bosma:

A CONCURRENT RESOLUTION to honor Senator Harold "Potch" Wheeler for his 19 years of distinguished service to the Indiana General Assembly and to congratulate him on his retirement from the Indiana State Senate.

Whereas, Senator "Potch" Wheeler, elected to the Indiana Senate on September 14, 1983, is retiring from the General Assembly upon the completion of his current term of office after serving 19 years in the Indiana State Senate;

Whereas, Senator Wheeler has been a champion for the people of Northwestern Indiana and has honestly and faithfully served his constituency in Senate District 17 throughout his tenure in the Senate;

Whereas, As Majority Caucus Chairman, Director of Caucus Operations, Chairman of the Committee on Appointments and Claims, and a member of the Legislative Council, Senator Wheeler has been a commanding presence in the Senate and has made a significant mark on the public policy of this state;

Whereas, As ranking member of the Committee on Natural Resources, Senator Wheeler has been committed throughout his service in the Senate to preserving and improving Indiana's invaluable natural resources;

Whereas, Being an avid golfer and fisherman, Senator Wheeler has often enjoyed those very natural resources in his spare time outside of the Senate;

Whereas, Outside of the Senate, Senator Wheeler has been a leader in every area of his endeavor and has held a position of high trust and responsibility in every governmental or public service organization in which he has participated. Serving the State of Indiana and his community in many capacities, he has been a County Commissioner, the Etna-Troy Township Trustee, the first President of the Bowen Center and a member of the Masonic Lodge. In addition, he has also served as a member of the Board of

Independent Colleges, the Whitley County Hospital Board, and the Columbia City Joint High School Board;

Whereas, Senator Wheeler has been and continues to be a successful businessman, playing an integral role in his family business, M.C. Wheeler & Sons, Inc., founded by his great-grandfather in 1884 and carried on today by his son;

Whereas, His nickname, "Potch," has been with him since youth, when as a young boy he was famous for professing his strength to everyone he knew and as a result was nicknamed "Popeye" by friends and family. His baby sister, too young to say "Popeye," converted the nickname to "Potcheye," which a local barber in turn shortened to "Potch," and that name has been with him ever since;

Whereas, Senator Wheeler is a committed husband to his lovely wife of 52 years, Darlene, a devoted father to their three children, Johnna, Kim and Tara, and a loving grandfather to their seven grandchildren and two great-grandchildren;

Whereas, During his service in the Indiana Senate, Senator Wheeler has always been known for the common sense he has brought to legislative issues and the time he has spent listening to the concerns of both his fellow Senators and the Senate staff; and

Whereas, Most of all, Senator Wheeler, with his wit, charm and easy manner, is beloved, admired and respected by everyone in the Senate, and his retirement from this body will be sorely felt by all for years to come: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That on behalf of the people of the State of Indiana, we hereby extend our sincere respect, appreciation and affection to Senator Harold "Potch" Wheeler for his dedicated and distinguished service to the people of Indiana, the Indiana Senate and the Indiana General Assembly.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit a copy of this resolution to State Senator Harold "Potch" Wheeler, and to his children, grandchildren and great-grandchildren.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 58

The Speaker handed down Senate Concurrent Resolution 58, sponsored by Representative Reske:

A CONCURRENT RESOLUTION honoring an ecumenical team of Anderson doctors and assistants for traveling to Haiti and providing medical and dental services to thousands of impoverished adults and children.

Whereas, The comprehensive healthcare team is referred to as the Haiti Medical/Dental Team;

Whereas, The Haiti Medical/Dental team will set up a clinic in the village of Petit tru de Nippes;

Whereas, There is no electricity or running water in the village;

Whereas, Dr. Gary Hinz added, "Poverty exists in every nation, but I think poverty is everywhere in Haiti;"

Whereas, They will treat 400 to 500 patients a day and a total of 1,800 to 2,000 people in the five days they are there;

Whereas, They will give 1,000 immunizations to babies and small children of the village;

Whereas, The team will provide tooth brushes, toothpaste, medicines, baby food, formula, little trinkets, and small McDonald's toys for the children;

Whereas, The Haitians are very appreciative of the care they receive, even when the doctors can do nothing;

Whereas, Gary Hinz emphasized, "You come back happy for what you have;"

Whereas, The team consists of a pediatric dentist Dr. Gary Hinz, his assistants Joanne Hinz and Susie Johnson, a senior dental

student Erin Fuson, surgical doctor Dr. Ben McCurdy, Assistant Nancy Pitcock, medical service providers Dr. Ned Bush and Dr. Bill Kopp, assistants Dana Kinley and Kathy Lakas, pharmacy staff Mary Helen Phillips, Leroy Phillips, Adrian Phillip, Jerry Pitcock, and Betty Bush, and student Edosa McCurdy;

Whereas, The members of the team rotate every year; and

Whereas, The team represents members of St. Mary's, St. Ambrose, Whetstone Church of Christ, Central Christina Church, and Maple Grove Church of God: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the General Assembly honor the members of the Haiti medical and dental team for the healthcare services they will provide to the thousands of impoverished adults and children.

SECTION 2. That the Secretary of the Senate transmit copies of this resolution to Dr. Gary Hinz, Joanne Hinz, Susie Johnson, Erin Fuson, Dr. Ben McCurdy, Nancy Pitcock, Dr. Ned Bush, Dr. Bill Kopp, Dana Kinley, Kathy Lakas, Mary Helen Phillips, Leroy Phillips, Adrian Phillip, Jerry Pitcock, Betty Bush, and Edosa McCurdy.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 66

The Speaker handed down Senate Concurrent Resolution 66, sponsored by Representative Lytle:

A CONCURRENT RESOLUTION honoring Southwestern High School Women's Basketball Coach Donna Cheatham for her accomplishments in the coaching profession.

Whereas, The coach, Donna Cheatham, became the first Indiana coach to win girls' state titles at two schools;

Whereas, She led the Southwestern High School Women's Basketball Team to its first championship in 2002;

Whereas, Coach Donna Cheatham led the Scottsburg Women's Basketball Team to the title in 1989;

Whereas, She is also the state's leader in girls' victories with a record of 458-116;

Whereas, She has had 32 "Coach of the Year" honors; and

Whereas, Coach Donna Cheatham has won four Semi-State Championships, ten Regional Championships, and fifteen Sectional Championships: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the General Assembly of the State of Indiana honor Coach Donna Cheatham for her accomplishments within the coaching profession.

SECTION 2. That the Secretary of the Senate transmit copies of this resolution to Head Coach Donna Cheatham, Superintendent Dr. Dan Schroeder, Principal Denise Bessler, Assistant Principal Laura Chitwood, and Athletic Director John Jones.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 67

The Speaker handed down Senate Concurrent Resolution 67, sponsored by Representative Lytle:

A CONCURRENT RESOLUTION honoring the Southwestern High School Women's Basketball Team for their accomplishments in the AA State Basketball Championship.

Whereas, The Southwestern Women's Basketball Team won its first State Basketball Championship; and

Whereas, Southwestern defeated Shenandoah 70-64 in the state championship at Conseco Fieldhouse; and

Whereas, Southwestern set a AA finals record by scoring 70 points in the championship game; and

Whereas, The team finished the season with a record of 25-2; and

Whereas, Coach Donna Cheatham said, "I've never had a team so willing to please and not to disappoint." Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the General Assembly of the State of Indiana honor the Southwestern High School Women's Basketball Team for its accomplishments in winning the AA State Basketball Championship and extend its congratulations to the team members, coaches, and school.

SECTION 2. That the Secretary of the Senate transmit copies of this resolution to Superintendent Dr. Dan Schroeder, Principal Denise Bessler, Assistant Principal Laura Chitwood, Athletic Director John Jones, Head Coach Donna Cheatham, Assistant Coaches Patty Clancy, Sue Siekman, Bernie Kasper, and Travis Calvert, Managers Margaret Basham, Kayla Smith, Whitney Sedam, and Megan Royalty, and Players Sarah Terrel, Francine Hancock, Catherine Graham, Kristi McVey, Janet Hertz, Camille Deuser, Autumn Walker, Heather Jackson, Brianna Howard, and Julie Brawner.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 72

The Speaker handed down Senate Concurrent Resolution 72, sponsored by Representative Lytle:

A CONCURRENT RESOLUTION honoring Southwestern High School women's basketball player Brianna Howard on receiving the Patricia L. Roy Mental Attitude Award.

Whereas, Senior Brianna Howard showed an outstanding attitude throughout the season;

Whereas, She averaged 19.9 points per game;

Whereas, She averaged 2.69 assists per game;

Whereas, Forward Brianna Howard averaged 5.81 steals per game; and

Whereas, She averaged 6.0 rebounds per game: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the General Assembly of the State of Indiana congratulate and honor Brianna Howard for receiving the Patricia L. Roy Mental Attitude Award.

SECTION 2. That the Secretary of the Senate transmit copies of this resolution to Brianna Howard, Superintendent Dr. Dan Schroeder, Principal Denise Bessler, Assistant Principal Laura Chitwood, Athletic Director John Jones, Head Coach Donna Cheatham, Assistant Coaches Patty Clancy, Sue Siekman, Bernie Kasper, and Travis Calvert.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 68

The Speaker handed down Senate Concurrent Resolution 68, sponsored by Representative Sturtz:

A CONCURRENT RESOLUTION to urge the National Sheriff's Association to hold their annual conference in the City of Indianapolis.

Whereas, the National Sheriff's Association's annual conference would be attended by 5,000 people and would include 600 exhibits

demonstrating the latest in police technology;

Whereas, the Indiana Convention Center and RCA Dome has some of the finest facilities available and offers the world-class services needed to ensure the success of any event;

Whereas, the City of Indianapolis boasts 5,289 hotel rooms in the downtown area, many of which are located within 4 blocks of the convention center;

Whereas, also within a short distance of the convention center are numerous entertainment and dining opportunities, including the new Conseco Fieldhouse, home of the NBA's Indiana Pacers, Victory Field, one of the finest minor league baseball facilities in the county, and Circle Centre Mall, one of the nation's few enclosed downtown malls; and

Whereas, all of this and more would make Indianapolis an ideal location for the 2008 Annual Conference of the National Sheriff's Association: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly, on behalf of the People of the State of Indiana, does hereby urge the National Sheriff's Association to hold their 2008 National Sheriff's Conference in the City of Indianapolis.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit a copy of this resolution to the President of the National Sheriff's Association.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed House Bill 1029 because it conflicts with SEA 213-2002 without properly recognizing the existence of SEA 213-2002, has had Engrossed House Bill 1029 under consideration and begs leave to report back to the House with the recommendation that Engrossed House Bill 1029 be corrected as follows:

Page 1, line 1, after "IC 16-18-2-33.5" insert ", AS AMENDED BY SEA 213-2002, SECTION 3,".

Page 1, between lines 15 and 16, begin a new line block indented and insert:

"(10) Administration by an emergency medical technician of epinephrine through an auto-injector."

Page 1, line 16, delete "(10)" and insert "(11)".

Page 2, line 3, delete "The" and insert "Except as provided in subsection (a)(10) and by the training and certification standards established under IC 16-31-2-9(5), the".

Page 2, line 6, delete "P.L. 156-2001," and insert "SEA 213-2002, SECTION 4,".

Page 2, line 7, delete "SECTION 2,".

Page 2, between lines 15 and 16, begin a new line block indented and insert:

"(4) Training and certification standards for the administration of epinephrine through an auto-injector by:

(A) an emergency medical technician; or

(B) an advanced emergency medical technician.".

Page 2, line 16, delete "(4)" and insert "(5)".

(Reference is to EHB 1029 as printed February 20, 2002.)

MOSES, Chair
MUNSON, R.R.M.
GRUBB, Author

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed Senate

Bill 175 because it conflicts with SEA 357-2002 without properly recognizing the existence of SEA 357-2002, has had Engrossed Senate Bill 175 under consideration and begs leave to report back to the House with the recommendation that Engrossed Senate Bill 175 be corrected as follows:

Page 1, line 1, after "IC 6-1.1-19-4.5" insert ", AS AMENDED BY SEA 357-2002, SECTION 180,".

Page 1, line 4, delete "state board of tax commissioners".

Page 1, line 4, reset in roman "department of local".

Page 1, line 5, reset in roman "government finance".

Page 1, line 10, delete "state board of tax commissioners".

Page 1, line 10, reset in roman "department".

Page 1, line 11, reset in roman "of local government finance".

Page 1, line 15, delete "state board of tax commissioners".

Page 1, line 16, reset in roman "department of local government finance".

Page 2, line 7, delete "state board of tax commissioners".

Page 2, line 8, reset in roman "department of local government finance".

Page 3, line 8, delete "state board of tax".

Page 3, line 9, delete "commissioners".

Page 3, line 9, reset in roman "department of local government finance".

Page 3, line 15, delete "state board of tax commissioners".

Page 3, line 15, reset in roman "department of local".

Page 3, line 16, reset in roman "government finance".

Page 4, line 38, delete "state board of tax".

Page 4, line 39, delete "commissioners".

Page 4, line 39, reset in roman "department of local government finance".

Page 4, line 41, delete "state board of tax".

Page 4, line 42, delete "commissioners".

Page 4, line 42, reset in roman "department of local government finance".

Page 5, line 32, delete "state board of tax commissioners".

Page 5, line 32, reset in roman "department".

Page 5, line 33, reset in roman "of local government finance".

Page 5, line 39, delete "state board of tax commissioners".

Page 5, line 39, reset in roman "department of local".

Page 5, line 40, reset in roman "government finance".

Page 6, line 1, delete "state board of tax".

Page 6, line 2, delete "commissioners".

Page 6, line 2, reset in roman "department".

Page 6, line 3, delete "state board of tax commissioners".

Page 6, line 3, reset in roman "department".

Page 6, line 4, reset in roman "of local government finance".

Page 6, line 4, delete "state".

Page 6, line 5, delete "board of tax commissioners".

Page 6, line 5, reset in roman "department".

Page 6, line 6, delete "state board".

Page 6, line 6, reset in roman "department".

Page 6, line 7, delete "state board's".

Page 6, line 7, delete "department of local" and insert "department's".

Page 6, line 8, delete "government finance's".

Page 6, line 12, delete "state board of tax commissioners".

Page 6, line 12, reset in roman "department of local".

Page 6, line 13, reset in roman "government finance".

(Reference is to ESB 175, as printed February 15, 2002.)

MOSES, Chair
MUNSON, R.R.M.
BAUER, Sponsor

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed Senate Bill 357 because it conflicts with SEA 57-2002 without properly recognizing the existence of SEA 57-2002, has had Engrossed Senate Bill 357 under consideration and begs leave to report back to the House with the recommendation that Engrossed Senate Bill 357 be

corrected as follows:

Page 10, line 21, after "council" insert ",".

Page 47, line 11, after "(1)" strike "right-of-way" and insert "rights-of-way".

Page 48, line 35, after "in" strike "clause (1) of this subdivision." and insert "subdivision (1)".

Page 50, line 20, strike "right-of-ways" and insert "rights-of-way".

Page 97, line 13, after "in" strike "section 3" and insert "IC 6-1.1-9-3".

Page 97, line 13, after "or" strike "section".

Page 97, line 14, strike "4 of IC 1971, 6-1.1-9," and insert "IC 6-1.1-9-4".

Page 145, line 31, after "the" strike "state".

Page 145, line 31, after "treasurer" insert "of state".

Page 157, line 17, delete "Year" and insert "Years".

Page 178, line 22, strike "state".

Page 178, line 22, after "treasurer" insert "of state".

Page 192, line 29, delete "fiancne" and insert "finance".

Page 230, line 16, after "finance" insert ".".

Page 230, line 16, after "finance" strike "of Indiana".

Page 292, line 17, after "the" insert "state".

Page 312, line 21, delete "State" and insert "state".

Page 312, line 27, delete "State" and insert "state".

Page 312, line 28, delete "State" and insert "state".

Page 315, line 15, delete "per cent" and insert "percent".

Page 322, line 30, delete "per cent" and insert "percent".

Page 329, delete lines 20 through 42.

Page 409, delete lines 9 through 42.

Delete page 410.

Page 411, delete lines 1 through 14.

Renumber all SECTIONS consecutively.

(Reference is to ESB 357 as printed February 22, 2002.)

MOSES, Chair
MUNSON, R.R.M.
WELCH, Sponsor

Report adopted.

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1108 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

PORTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Joint Resolution 2 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

MURPHY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1378 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

SCHOLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1346 and that the Speaker appoint a committee to confer with a like committee from the Senate

and report back to the House.

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1317 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

PELATH

LIGGETT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1232 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

L. LAWSON

Motion prevailed.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1015.

COCHRAN

Roll Call 346: yeas 95, nays 2. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1050.

CROSBY

Roll Call 347: yeas 96, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1083.

KERSEY

Roll Call 348: yeas 96, nays 1. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1111.

LEUCK

Roll Call 349: yeas 95, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1202.

ROBERTSON

Roll Call 350: yeas 96, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1294.

HERNDON

Roll Call 351: yeas 93, nays 1. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1030.

GRUBB

Roll Call 352: yeas 91, nays 2. Motion prevailed.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Acts 10, 20, 59, 60, 97, 109, 136, 137, 144, 168, 173, 212, 214, 233, 263, 269, 283, 362, 366, 410, 412, 459, and 518 on March 11.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

EHB 1108	Conferees: Porter and Hoffman Advisors: Goodin, Oxley, Klinker, and Scholer
EHB 1232	Conferees: L. Lawson and D. Young Advisors: Kuzman, Dvorak, Foley, and Richardson
EHB 1317	Conferees: Bauer and Espich Advisors: Liggett, Leuck, Scholer, and Saunders
EHB 1346	Conferees: Pelath and Budak Advisors: Robertson, C. Brown, and T. Brown
EHB 1378	Conferees: Crooks and Scholer Advisors: Robertson, Fry, and Richardson
EHJR 2	Conferees: Grubb and Murphy Advisors: Kromkowski, Mahern, and Yount

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 19	Conferees: Bauer and Burton
ESB 22	Conferees: Lytle and Pond
ESB 100	Conferees: GiaQuinta and Cherry Advisors: Kuzman and Duncan
ESB 217	Conferees: Lytle and Steele Advisors: Bottorff, Hasler and Duncan
ESB 239	Conferees: Frenz and Munson Advisors: Hasler, Stevenson, Cherry, and Borror
ESB 252	Conferees: Kuzman and Foley Advisors: Weinzapfel and Steele
ESB 318	Conferees: Klinker and Pond Advisors: Crawford, Kromkowski, and Hinkle
ESB 329	Conferees: Crooks and Saunders Advisors: Bodiker and Yount
ESB 376	Conferees: Welch and Richardson Advisor: Kuzman
ESB 417	Conferees: Lytle and Pond Advisors: Bischoff and Munson
ESB 426	Conferees: Dvorak and Foley Advisors: Crawford, Day, and Steele
ESB 482	Conferees: Dvorak and Atterholt Advisors: Hasler and Burton
ESB 504	Conferees: Crawford and Becker Advisors: Crosby and T. Brown
ESB 506	Conferees: Dobis and Murphy Advisors: Crooks, Hasler, V. Smith, and M. Smith
ESB 508	Conferees: Lytle and Pond Advisors: Bottorff and Friend

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1241	Advisor: Ripley
EHB 1332	Conferee: Friend replacing Hinkle Advisors: Whetstone and Turner replacing M. Smith

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, March 13, 2002 at 10:00 a.m.

KUZMAN

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1378:

Conferees: R. Meeks and Lanane

Advisors: Alting and S. Smith

MARY C. MENDEL
Principal Secretary of the Senate

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the motion to concur on Engrossed House Bill 1015, Roll Call 346, on March 11, 2002. In support of this petition, I submit the following reason:

"I was present and near my seat, and when I attempted to vote, voting had closed. I intended to vote Yea."

BURTON

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 346 to 95 yeas, 2 nays. The corrected roll call is printed with this Journal.*]

HOUSE MOTION

Mr. Speaker: I move that Representative Frizzell be added as coauthor of House Resolution 26.

BURTON

Motion prevailed.

Pursuant to House Rule 60, a meeting of the Committee on Rules and Legislative Procedures was announced and, pursuant to House Rule 156, conference committee meetings were announced.

On the motion of Representative T. Adams the House adjourned at 3:05 p.m., this eleventh day of March, 2002, until Wednesday, March 13, 2002, at 10:00 a.m.

JOHN R. GREGG
Speaker of the House of Representatives

LEE ANN SMITH
Principal Clerk of the House of Representatives